

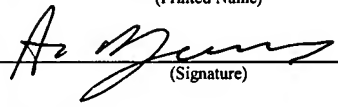


Atty. Dkt. No. 045710-0139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew A. WOLFF
Title: Sustained Release Ranolazine Formulations
Appl. No.: 10/614,460
Patent No. 6,864,258
Filing Date: 07/07/2003
Issue Date: 03/08/2005

Confirmation
Number:

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV861929913US (Express Mail Label Number)	October 29, 2007 (Date of Deposit)
Antonio Nevarez (Printed Name)	
 (Signature)	

PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT
UNDER 37 C.F.R. § 1.324

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition for correction of error in a nonjoinder of inventors in the above issued patent. The petition is being filed pursuant to 37 C.F.R. § 1.324. It is respectfully requested that the Office issue a certificate correcting the error.

The above-listed patent currently lists Andrew A. WOLFF as the sole inventor. Patentee submits that John Richard LANGRIDGE and Fiona BAKER should also be named, in addition to Andrew A. Wolff, as inventors of the above-listed patent. This petition requests that the Office correct the inventorship of the patent.

11/02/2007 CCHAUI 00000005 10614460

01 FC:1464

130.00 OP

SVCA_78186.1

11/02/2007 CCHAUI 00000007 6864258 130.00 OP
01 FC:1464

Pursuant to 37 C.F.R. § 1.324(b), enclosed herewith are the following documents:

1. A Statement from each person who is being added as an inventor (John Richard LANGRIDGE and Fiona BAKER) that the inventorship error occurred without any deceptive intention on his or her part.
2. A Statement from the current named inventor (Andrew A. WOLFF) stating that there is no disagreement in regard to the requested change.
3. Written consent of the assignee (Roche Palo Alto LLC).
4. Statement under 37 C.F.R. § 3.73(b), establishing right of assignee to take action.
5. The fee required under 37 C.F.R. § 1.20(b). Authorization is hereby made to charge the amount of \$130.00 to credit card as shown on the attached credit card information authorization form PTO-2038.

Also included are the following documents:

6. A Certificate of Correction requesting the addition of John Richard LANGRIDGE and Fiona BAKER as inventors of the above-listed patent.
7. Power of Attorney and Correspondence Address Indication Form.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 30, 2007

FOLEY & LARDNER LLP

Customer Number: 38706

Telephone: (650) 251-1104

Facsimile: (650) 856-3710

By Lorna L. Tanner

Lorna L. Tanner

Attorney for Patentee

Registration No. 50,782



Atty. Dkt. No. 045710-0139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

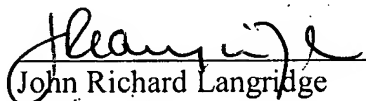
Applicant: Andrew A. WOLFF
Title: SUSTAINED RELEASE
RANOLAZINE FORMULATIONS
Appl. No.: 10/614,460
Patent No.: 6,864,258
Issue Date: 03/08/2005
Filing Date: 07/07/2003
Confirmation Number: 7581

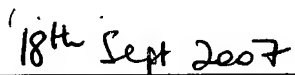
**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT
PURSUANT TO 37 C.F.R. § 1.324(B)(1)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, John Richard Langridge, the person who is being added as inventor by the petition being submitted to correct the inventorship of this patent do hereby declare that the inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.


John Richard Langridge


Date



Atty. Dkt. No. 045710-0139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew A. WOLFF
Title: SUSTAINED RELEASE
RANOLAZINE FORMULATIONS
Appl. No.: 10/614,460
Patent No.: 6,864,258
Issue Date: 03/08/2005
Filing Date: 07/07/2003
Confirmation Number: 7581

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT
PURSUANT TO 37 C.F.R. § 1.324(B)(1)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Fiona Baker, the person who is being added as inventor by the petition being submitted to correct the inventorship of this patent do hereby declare that the inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.

Fiona Baker
Fiona Baker

17 SEP 07
Date



Atty. Dkt. No. 045710-0139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew A. WOLFF
Title: SUSTAINED RELEASE
RANOLAZINE FORMULATIONS
Appl. No.: 10/614,460
Patent No. 6,864,258
Issue Date: 03/08/2005
Filing Date: 07/07/2003
Confirmation 7581
Number:

**STATEMENT AGREEING TO CHANGE OF INVENTORSHIP IN PATENT BY
CORRECTLY NAMED INVENTOR PURSUANT TO 37 C.F.R. § 1.324(B)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Andrew A. Wolff, an inventor signing below and who is being retained as an inventor in the above-identified patent, make the following statement in support of the petition to correct the inventorship to name John Richard Langridge and Fiona Baker as inventors of this patent. I have no disagreement in regard to the requested change of inventorship of this patent.

Andrew A. Wolff
Andrew A. Wolff

10 Oct 07
Date



Atty. Dkt. No. 045710-0139

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

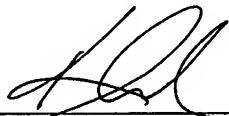
Applicant: Andrew A. WOLFF
Title: Sustained Release Ranolazine
Formulations
Appl. No.: 10/614,460
Patent No. 6,864,258
Filing Date: 07/07/2003
Issue Date: 03/08/2005
Confirmation 7581
Number:

**CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP IN PATENT
PURSUANT TO 37 C.F.R. § 1.324(B)(3)**

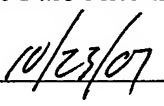
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Roche Palo Alto LLC, owner by assignment of the above-identified patent, said assignment being recorded concurrently herewith; hereby consents to the amendment of the inventorship of this patent as requested in the accompanying papers. Attached herewith is a "Statement under 37 C.F.R. 3.73(b)," establishing the right of the assignee to take action in this case.



Kevin A. Marks
Vice President & General Counsel
Roche Palo Alto LLC



Date



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Andrew A. WOLFF
Application No.: 10/614,460 Filed: 07/07/2003
Patent No.: 6,864,258 Issue Date: 03/08/2005
Docket Number: 045710-0139
Entitled: Sustained Release Ranolazine Formulations
Roche Palo Alto LLC Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest
The extent (by percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

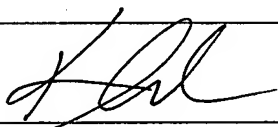
1. From: Andrew A. Wolff To: Syntex (U.S.A.) Inc.
for which a copy thereof is attached.
2. From: John Richard Langridge and Fiona Baker To: Syntex (U.S.A.) Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 012449, Frame 0816 and Reel 013114, Frame 0734.
3. From: Syntex (U.S.A.) Inc. To: Roche Palo Alto LLC
for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

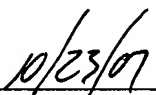
- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Kevin A. Marks
Vice President & General Counsel



Date
Telephone no. (650) 855-5050

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned inventor, Andrew A. Wolff, (hereinafter referred to as "ASSIGNOR") has sold, assigned, and transferred, and by these presents hereby sells, assigns, and transfers, unto

Syntex (U.S.A.) Inc.
3431 Hillview Avenue
Palo Alto, CA 94304

(hereinafter referred to as "ASSIGNEE") its successors and assigns, the full and exclusive right, title and interest for the United States, its territories and possessions, and all foreign countries in and to this invention relating to the Letters Patents listed below:

U.S. PATENT NO.	GRANT DATE	TITLE
6,303,607	Oct. 16, 2001	Method for Administering a Sustained Release Ranolazine Formulation
6,479,496	Nov. 12, 2002	Methods for Treating Angina with Ranolazine
6,562,826	May 13, 2003	Sustained Release Ranolazine Formulations
6,852,724	Feb. 8, 2005	Sustained Release Ranolazine Formulations
6,369,062	Apr. 9, 2002	Sustained Release Ranolazine Formulations
6,503,911	Jan. 7, 2003	Sustained Release Ranolazine Formulations
6,617,328	Sep. 9, 2003	Sustained Release Ranolazine Formulations
6,525,057	Feb. 25, 2003	Sustained Release Ranolazine Formulations
6,620,814	Sep. 16, 2003	Sustained Release Ranolazine Formulations
6,864,258	Mar. 8, 2005	Sustained Release Ranolazine Formulations

as well as in and to (a) all improvements and modifications of the above-identified invention or inventions, (b) the above-identified Letters Patents and all other applications for Letters Patent of the United States and countries foreign thereto for above-identified invention or inventions and all improvements and modifications thereof, (c) all Letters Patent which may issue from said applications in the United States and countries foreign thereto, (d) all priority applications, divisions, continuations, reissues, and extensions of said applications and Letters Patent, and (e) the right to claim for any of said applications the full benefits and priority rights under the International Convention and any other international agreement to which the United States adheres; such right, title, and interest to be held and enjoyed by ASSIGNEE, its successors and assigns, to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by ASSIGNOR had this Assignment not been made.

ASSIGNOR HEREBY AUTHORIZES ASSIGNEE to file patent applications in any or all countries on the above-identified invention or inventions in the name of the undersigned or in the name of ASSIGNEE or otherwise as ASSIGNEE may deem advisable under the International Convention or otherwise.

ASSIGNOR HEREBY AUTHORIZES AND REQUESTS the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE as assignee of the entire interest, for the sole use and benefit of ASSIGNEE, its successors and assigns.

ASSIGNOR HEREBY AGREES (a) to communicate to ASSIGNEE, its successors and assigns, or their representative or agents, all facts and information known or available to ASSIGNOR respecting said invention or inventions, improvements, and modifications including evidence for interference, reexamination, reissue, opposition, revocation, extension, or infringement purposes or other legal, judicial, or administrative proceedings, whenever requested by ASSIGNEE; (b) to testify in person or by affidavit as required by ASSIGNEE, its successors and assigns, in any such proceeding in the United States or a country foreign thereto; (c) to execute and deliver, upon request by ASSIGNEE, all lawful papers including, but not limited to, original, divisional, continuation, and reissue applications, renewals, assignments, powers of attorney, oaths, affidavits, and declarations, depositions; and (d) to provide all reasonable assistance to ASSIGNEE, its successors and assigns, in obtaining and enforcing proper title in and protection for said invention or inventions, improvements, and modifications under the intellectual property laws of the United States and countries foreign thereto.

ASSIGNOR HEREBY REPRESENTS AND WARRANTS that ASSIGNOR has the full and unencumbered right to sell, assign, and transfer the interests sold, assigned, and transferred herein.

ASSIGNOR acknowledges that ASSIGNOR had previously assigned his rights in the above-listed Letters Patents to CV Therapeutics, Inc. but has been informed by CV Therapeutics, Inc.'s counsel that such assignments were inconsistent with ASSIGNOR's prior obligations to ASSIGNEE.

ASSIGNOR HEREBY GRANTS to the law firm of **Foley & Lardner LLP** the power and authority to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

ASSIGNOR UNDERSTANDS AND AGREES that the attorneys and agents of the law firm of **Foley & Lardner LLP** do not personally represent ASSIGNOR OR ASSIGNOR's legal interests, but instead represent the interests of ASSIGNEE; since said attorneys and agents cannot provide legal advice to ASSIGNOR with respect to this Assignment, ASSIGNOR acknowledges its right to seek its own independent legal counsel.

Executed this 10th day of October, 2007.

Andrew G. Wolff
ANDREW A. WOLFF

State of _____)
County of _____)ss.

On this _____ day of _____, 20____, before me, a notary public in and for said county, appeared INVENTOR_FULL_NAME, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed, and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Notary Public

My Commission Expires: _____

(Seal)

Please See attached
Loose ALL-PURPOSE Acknowledgment
Form.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

SAN MATEO

SS.

On

10/10/07

Date

before me,

KERRY PRESCOTT, NOTARY PUBLIC

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

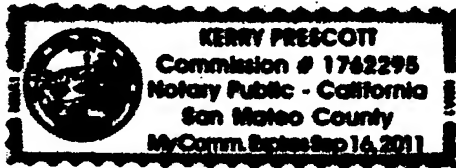
personally appeared

ANDREW A. WOLFF

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Kerry Prescott
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney-in-Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

PATENT ASSIGNMENT

WHEREAS Syntex (U.S.A.) Inc., of 3431 Hillview Avenue, Palo Alto, CA 94304, (hereinafter "Assignor") is the owner by virtue of assignment by John Langridge and Fiona Baker (named inventors), of the following United States Letters Patents, and the inventions set forth therein, as shown by the records of the United States Patent and Trademark Office:

U.S. PATENT NO.	GRANT DATE	TITLE
6,369,062	Apr. 9, 2002	Sustained Release Ranolazine Formulations
6,503,911	Jan. 7, 2003	Sustained Release Ranolazine Formulations
6,617,328	Sep. 9, 2003	Sustained Release Ranolazine Formulations
6,620,814	Sep. 16, 2003	Sustained Release Ranolazine Formulations

WHEREAS Assignor is also the owner by virtue of assignment from Andrew A. Wolff, (a named inventor), of the following United States Letters Patents, and the inventions set forth therein:

U.S. PATENT NO.	GRANT DATE	TITLE
6,303,607	Oct. 16, 2001	Method for Administering a Sustained Release Ranolazine Formulation
6,479,496	Nov. 12, 2002	Methods for Treating Angina with Ranolazine
6,562,826	May 13, 2003	Sustained Release Ranolazine Formulations
6,852,724	Feb. 8, 2005	Sustained Release Ranolazine Formulations
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6,617,328	Sep. 9, 2003	Sustained Release Ranolazine Formulations
6,525,057	Feb. 25, 2003	Sustained Release Ranolazine Formulations
6,620,814	Sep. 16, 2003	Sustained Release Ranolazine Formulations
6,864,258	Mar. 8, 2005	Sustained Release Ranolazine Formulations

WHEREAS Roche Palo Alto LLC, 3431 Hillview Avenue, Palo Alto, CA 94304, (hereinafter referred to singly and collectively as "Assignee") is desirous of acquiring the full right, title and interest in and to said inventions for the United States of America, and in and to said United States Letters Patents;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Assignor, Assignor has sold, assigned, transferred and set over, and by these presents hereby sells, assigns, transfers and sets over to Assignee the entire and exclusive right, title and interest in and to said inventions for the United States of America, and in and to said Letters Patents listed above, including any and all priority applications, divisional, continuation, continuation-in-part, reissues or extensions thereof, to be held and enjoyed by Assignee for its own use as fully and entirely as the same would have been held and enjoyed by Assignor had this assignment not been made; the Commissioner of Patents and Trademarks of the United States of America is hereby authorized to transfer the portion of the title indicated to said application to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the Assignor, but

also that such assigned rights are not encumbered by any grant, license, or other right theretofore given except as provided for in a license agreement between Assignee, the licensor, and CV Therapeutics, Inc., the licensee that relates to ranolazine; Assignor hereby undertakes to execute and deliver to Assignee upon request all lawful documents which may be requested by Assignee, and to furnish Assignee with all facts relating to said invention as may be requested.

The undersigned hereby grant the firm of FOLEY & LARDNER LLP, the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

Date: _____

10/23/07

Syntex (USA) Inc.

By: _____

Name: Kevin A. Marks, Esq.

Title: Vice President and General Counsel

State of California

County of Santa Clara

On this 23rd day of October, 2007, before me, a notary public in and for said county, appeared the above named person, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/~~she~~ acknowledged that he/~~she~~ signed, sealed, and delivered the said instrument as his/~~her~~ free and voluntary act for the uses and purposes therein set forth.



Ethel Kelly
Notary Public

My Commission Expires: 12/03/2007

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
(Also Form PTO-1050)

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,864,258
APPLICATION NO. : 10/614,460
DATED : 3/8/2005
INVENTOR(S) : Andrew A. WOLFF; Fiona BAKER; John Richard LANGRIDGE

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page

Item [76] Inventors, add "**Fiona Baker, Dunfermline, John Richard Langridge, Sint Oedenrode, both of (GB)**"

MAILING ADDRESS OF SENDER (Please do not use customer number below):

1530 Page Mill Road
Palo Alto, California 94304-1125

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,

U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.